

Tramways (Ireland) Acts Amendment Bill.

MEMORANDUM.

The object of this Bill is to remedy certain defects and ambiguities in the Tramways (Ireland) Acts, 1860 to 1896, and to assimilate legislation relating to light railways and tramways in Ireland to that already existing in England.

1. The Bill repeals sections forty-two and forty-three of the Tramways (Ireland) Act, 1860, and permits, under the conditions defined in the Bill, the application of the Lands Clauses Acts for tramway and light railway purposes.

2. It proposes to confine any haronial guarantee granted in respect of a tramway or light railway to a four per cent. dividend on the capital raised, and excludes any liability on haronics for payment of moneys where the tramway is not worked or maintained.

3. It puts an end to the condition that to enable the Treasury to give a grant for a tramway or light railway undertaking there must be an existing railway company willing to work the proposed undertaking.

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TO

Amend the Tramways (Ireland) Acts, 1860 to 1896.

A.D. 1899.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

5 1. This Act shall extend only to Ireland.

Extent of
Act.

2. The Tramways (Ireland) Acts, 1860 to 1896, as interpreted by the Railways (Ireland) Act, 1896, are hereby amended as follows:—

Amendment
of Acts.

10 (1.) Section nineteen of the Tramways (Ireland) Act, 1860, shall be read and construed as if the words "The Lands Clauses
" Acts, except so far as may be expressly provided by any
" such Order " were inserted therein in lieu of the words
" The Lands Clauses Consolidation Act, 1845, and the
15 Railways Act (Ireland), 1851," and as if the words "except
as aforesaid " had been inserted after the word "shall" in the
last sentence of such section.

23 & 24 Vict.
c. 152.

(2.) Sections forty-two and forty-three of the Tramways (Ireland) Act, 1860, shall be and the same are hereby repealed.

20 (3.) No baronial guarantee granted after the passing of this Act under the Tramways (Ireland) Acts, 1860 to 1896, as amended by this Act shall be deemed to impose any liability on any barony or barones in respect of the default on the part of the promoters of any tramway in completing, working, and
25 maintaining the undertaking, and all enactments in the Tramways (Ireland) Acts, 1860 to 1896, to the contrary are hereby repealed, and any such baronial guarantee shall be deemed to guarantee only the payment of dividends not
[Bill 238.]

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A.D. 1800.

exceeding four per centum upon so much of the share capital of the undertaking as is for the time being paid up capital as defined by the said Acts, provided that such guarantee shall operate only during the period authorised for the construction of the light railway or tramway or any extension or extensions 5 of such period, and thereafter only during such period or periods (whether consecutive or not) as the light railway or tramway is open for traffic and is working.

52 & 53 Vict.
c. 66.

(4.) Section three of the Light Railways (Ireland) Act, 1889, shall be read and construed as if the words "any existing 10
" company or any company to be incorporated under the
" Joint Stock Companies Acts, or otherwise" were inserted therein in lieu of the words "an Irish Railway Company
" having a railway open for traffic," and as if the word
" such" were omitted in sub-clause (b) of that section, and 15
as if the words "having a railway open for traffic" were inserted in such sub-clause after the word "Company."

59 & 60 Vict.
c. 34.

(5.) In section one of the Railways (Ireland) Act, 1896, the words "or any company incorporated or to be incorporated
under the Joint Stock Companies Acts or otherwise" shall be 20
inserted in sub-clause one thereof, immediately after the words
" a railway company existing at the time," and all reference in the said Act to such a railway company shall include such a company as in this subsection mentioned.

(6.) The word "land" in the Lands Clauses Acts, shall for the 25
purposes of the Tramways (Ireland) Acts, 1869 to 1896, and this Act include water and water rights and the right to take, use, impound, or convey water or water rights for the purposes of the undertaking.

Short title.

3. This Act may be cited as the Tramways (Ireland) Act, 1900, 30
and this Act and the Tramways (Ireland) Acts, 1869 to 1896, may be cited collectively as the Tramways (Ireland) Acts, 1869 to 1900.

Interpreta-
tion and con-
struction.

4. All words and expressions in this Act which are not thereby defined or explained and are defined or explained in any of the 35
Tramways (Ireland) Acts, 1869 to 1896, have, unless there is something inconsistent in the context, the same meaning as in the said Acts, and the said Acts as varied by this Act shall so far as is consistent with the tenor thereof be read and construed as one Act.

